

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALI BADR,
Plaintiff,

v.

CITY OF SAN RAMON ET AL.,
Defendants.

Case No. 4:21-cv-09575-YGR

ORDER REGARDING STAY

On February 28, 2022, defendant HyreCar gave notice that it had entered bankruptcy proceedings, automatically staying this action as to HyreCar. (Dkt. No. 85.) The Court ordered the parties to brief whether this action should be stayed as to the remaining parties and claims. (Dkt. No. 90.) Having reviewed that briefing, the Court finds the action cannot proceed as to John Blomeke and Carmommy Rentals LLC. As plaintiff himself states, it is unclear how these entities are related and the extent to which each is responsible for the alleged negligence regarding reporting the car rented by plaintiff as stolen. Additionally, Carmommy and Blomeke have brought related cross-claims against HyreCar that should be heard at the same time as plaintiff's claims against Carmommy and Blomeke. To proceed otherwise would unjustly prejudice the car rental defendants and waste judicial resources.


However, the Court sees no reason to stay this action as to the city and law enforcement defendants. Those defendants did not file briefing advocating for a stay. Plaintiff's claims regarding their allegedly unlawful search, seizure, and use of force against plaintiff are independent of the claims against the car rental defendants. Plaintiff's continued emotional and physical challenges related to his interactions with defendants also counsel against a stay.

Accordingly, this action is **STAYED** as to Carmommy and Blomeke until further order of this Court. The parties shall advise the Court within seven days if the bankruptcy stay is lifted.

The action shall continue as to the city and law enforcement defendants.

IT IS SO ORDERED.

Dated: March 27, 2023


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

United States District Court
Northern District of California